

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

KIM JACKSON,

Plaintiff-Appellant,

v.

CHRIS DUTRA, *et al.*,

Defendants-Appellees.

Case No. 3:20-cv-00288-MMD-CLB

Ninth Circuit Court of Appeals No. 22-15622

ORDER

The above-entitled cause went before the United States Court of Appeals for the Ninth Circuit, which issued its judgment affirming in part, reversing in part, and remanding this Court's prior order granting summary judgment in favor of Defendants. (ECF No. 76 ("Memorandum").) The Memorandum affirmed the Court's grant of summary judgment as to Jackson's unlawful seizure and false arrest claims against all three Defendants and all claims against Sergeant Edmonson. (*Id.*) However, the Memorandum reversed the entry of summary judgment as to Jackson's excessive force claims against Officers Dutra and Dejesus because questions of fact remained as to when Jackson ceased resisting arrest and whether the officers' use of force continued after the emergency had ended. (*Id.*)

Defendants' petition for rehearing en banc was subsequently denied (ECF No. 79), as was their petition for a writ of certiorari before the United States Supreme Court (ECF No. 82).

It is therefore ordered that this Court's order granting summary judgment (ECF No. 66) and entry of judgment (ECF No. 67) are vacated as to the excessive force claims against Dutra and Dejesus.

It is further ordered that the parties are directed to file a joint pretrial order within 30 days of the date of entry of this order.

1 DATED THIS 10th day of May 2024.

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4 MIRANDA M. DU
5 CHIEF UNITED STATES DISTRICT JUDGE
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